

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CRIMINAL DOCKET NO. 5:02cr33-4-RLV**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>vs.</b>	)	<b><u>SCHEDULING ORDER</u></b>
	)	
<b>JERRY LEE CODY</b>	)	
	)	
<b>Defendant.</b>	)	
<hr/>	)	

**THIS MATTER** is before the Court on the Judgment of the Fourth Circuit Court of Appeals, filed September 21, 2006<sup>1</sup>, remanding this case for re-sentencing.

On April 11, 2008, this Court ordered that a sentencing hearing be scheduled in this matter for August 4, 2008, in the Statesville Division.(Doc.# 236) The Court also ordered that the United States Marshal Service transport Defendant to Statesville, North Carolina for the sentencing hearing scheduled for August 4, 2008, at 9:30 a.m. However, the Defendant was not brought into the district for his sentencing hearing. Consequently, this matter will need to rescheduled.

**IT IS, THEREFORE, ORDERED** that the sentencing hearing is hereby rescheduled for August 25, 2008 at 9:30 a.m. in the United States Courthouse, 200 West Broad Street, 2<sup>nd</sup> floor Courtroom, Statesville, North Carolina.

**IT IS FURTHER ORDERED** that the United States Marshal Service transport Defendant to the United States Courthouse in Statesville, North Carolina and make him available for the sentencing hearing scheduled for August 25, 2008, at 9:30 a.m. in the Statesville Divison.

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<sup>1</sup> The mandate issued on October 13, 2006.

**IT IS ALSO ORDERED** that a copy of this order be sent to the Defendant, Defense Counsel, the United States Attorney, the United States Marshal Service, and the United States Probation Office.

Signed: July 31, 2008

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees  
United States District Judge

